

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Jeffrey W. Leon, et al

BIOLOGICAL MICROARRAY  
COMPRISING POLYMER PARTICLES  
AND METHOD OF USE

Serial No.

Filed

Group Art Unit: To be assigned

Examiner: To be assigned

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September 9, 2003  
Date

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT FOR CONSIDERATION**  
**BY THE OFFICE UNDER 37 C.F.R. 1.97-1.99**

Enclosed herewith are patents and/or publications for consideration by the Patent and Trademark Office in regard to the invention claimed in the above-described application. In compliance with §1.56, such documents are listed in the enclosed Form PTO-1449.

Applicants request that the Patent and Trademark Office make of record the above-identified documents. A full text copy of each document is attached, except for copies of U.S. patents and U.S. patent application publications. For documents not in English, an English translation or an equivalent English language patent or publication may be attached. Where a translation is not available, a concise explanation of the relevance of each document not in English is included either here or in the specification.

This Information Disclosure Statement (hereinafter "Statement") is submitted according to the following selected paragraph:

- I. ☒ This Statement is being filed under §1.97(b) within three months of the filing date of the application (other than a CPA), or before the mailing of a first Office action on the merits or before the mailing of a first Office action after the filing of a request for continued examination.
- II. ☐ This Statement is being filed under §1.97(c), with fee, **prior** to the mailing date of any of a final action, a notice of allowance or an action that otherwise closes prosecution in the application. Please charge the fee required by §1.17(p) to Eastman Kodak Company Deposit Order Account Number 05-0225. A duplicate copy of this Certification is enclosed.

III. ☐ This Statement is being filed under §1.97(c), with a certification under, §1.97(e) **prior** to the mailing date of any of a final action, a notice of allowance or an action that otherwise closes prosecution in the application. The undersigned hereby states that (check one):

☐ each item of information contained in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.


☐ no item of information in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification under §1.97(e) after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this Statement.

IV. ☐ This Statement is being filed under §1.97(d), with fee and certification under §1.97(e), on or after the mailing date of either a final action, a notice of allowance (but prior to payment of the issue fee) or an action that otherwise closes prosecution in the application. Please charge the fee required by §1.17(p) to Eastman Kodak Company Deposit Order Account No. 05-0225. A duplicate copy of this Certification is enclosed. The undersigned hereby states that (check one):

☐ each item of information in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.

☐ no item of information in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification under §1.97(e) after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,

  
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Enclosures

<b>FORM PTO-1449</b> <b>US DEPARTMENT OF COMMERCE</b> <b>PATENT AND TRADEMARK OFFICE</b>		Atty. Docket No. <b>85694LMB</b> Customer No. 01333		Serial No. <b>To be assigned</b>	
If AFTER the later date of the first Office Action or 3 months from filing, use only with Rule 97(E) Certificate or Fee  <b>LIST OF ART CITED BY APPLICANT</b> <i>(Use several sheets if necessary)</i>		Applicant: <b>Jeffrey W. Leon, et al</b>			
		Filing Date <b>Herewith</b>		Group <b>To be assigned</b>	

U.S. PATENT DOCUMENTS						
Examiner Initial*	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,858,653	01-12-1999	Duran et al.			
	5,981,734	11-09-1999	Mirzabekov et al.			
	2002/0086307	07-04-2002	Amin et al.			
	2002/0119559	08-29-2002	Andreoli et al.			
	2002/0142339	10/03/2002	Bardhan et al.			
	2003/0138649	07/24/2003	Qiao et al.			

FOREIGN PATENT DOCUMENTS							
Examiner Initial*	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	1 106 603 A2	06-13-2001	EP				X
	95/04594	02-16-1995	WO				X
	98/29736	07/09/1998	WO				X
	00/04382	01/27/2000	WO				X
	00/04389	01/27/2000	WO				X
	00/61282	10/19/2000	WO				X
	01/16376	03/08/2001	WO				X
	01/40312	06/07/2001	WO				X
	01/40803	06/07/2001	WO				X
	02/02585	01/10/2002	WO				X

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)	
	Co-pending USSN _____, by Leon et al. <i>Stabilized Polymer Beads And Method Of Preparation (D-85487)</i>
	Pending USSN 10/091,644 (Docket 83598 D-W), by Qiao et al., <i>Microarray Containing Functionalized Polymer</i> , filed 03/06/2002
	Analytical Biochemistry (2000) 278, 123-131

EXAMINER	DATE CONSIDERED
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.